

AIR CADET PUBLICATION (ACP) 4

SAFEGUARDING AND PROTECTING CHILDREN

FOREWORD BY COMMANDANT RAF AIR CADETS

Introduction

1. ACP 4 outlines the policy and guidance to safeguard cadets from all forms of abuse and to help build a safer environment for both staff and cadets of the RAF Air Cadet (RAFAC). For CCF(RAF) Sections, the head teacher retains primacy for child protection in his or her college or school and for school-generated CCF Contingent activities. However, staff and cadets from CCF(RAF) Sections are included in this policy when they are taking part in activities off school premises when the Section is mixed with other Sections and/or ATC cadets. In addition, when CCF(RAF) cadets, as individuals, are taking part in RAFAC or other Cadet Force activities, the provisions of this ACP should be applied.

2. No document, however comprehensive, can cover all situations in which an RAFAC member of staff may be required to take action to prevent or respond to child abuse but those who follow the principles and guidelines laid down in this publication can be more confident that they are properly discharging the most important aspect of our duty of care towards cadets. Knowledge of this publication alone will give members of staff the information they need to properly discharge their child protection responsibilities in accordance with current legislation in England, Scotland, Wales and Northern Ireland. All adult members of the RAFAC (including permanent staff, padres, civilian committee members and staff cadets) have a part to play in the implementation of its child protection policy and need to be familiar with this publication. Commanding Officers and line managers are to ensure that all members of their volunteer and permanent staff read this publication.

Statement of intent

3. The RAFAC will safeguard its children and young people by:

- Complying with all legal requirements in respect of child protection.
- Taking into account, in all its considerations and activities, the interests and well-being of children and young people.
- Respecting the rights, wishes and feelings of the children and young people with whom it is working.
- Taking all reasonable practicable steps to protect them from physical, sexual and emotional abuse whilst engaged in RAFAC activities.
- Promoting the welfare of children and young people and their protection in relation to a position of trust (see Chapter 2).

Supervisory care of cadets

4. Supervisory care is the expression used to define the moral component of the RAFAC's duty of care. It involves the conscious overseeing of cadets by an authorised person to ensure the delivery of an appropriate pastoral and welfare regime. Supervisory care goes beyond the delivery of air cadet training carried out during the normal syllabus. It includes aspects such as the maintenance of values and standards, ensuring appropriate behaviour, providing assistance or advice on welfare and administration and the mentoring of cadets by RAFAC or other suitable staff.

5. As the Commandant, I am responsible for ensuring that our supervisory care regime is effective, responsive and appropriate to the needs of all cadets. I place special emphasis on the supervision and management of cadets and look to all staff and volunteers, not necessarily those specifically entrusted with this task, to conduct their duties diligently and expediently. To this end, I require Commanding Officers and line managers at all levels (volunteer members and permanent staff) to ensure that the regulations, orders and procedures described in this publication are followed and correctly applied.

5. Notwithstanding the specific directions in this publication, I expect all personnel serving in the RAFAC to understand the importance of taking a keen interest in our cadets and their well-being. I look to each and every one of you to support me in this task and to treat all individuals, whether cadets or adult members of staff, with dignity and respect. Further information on duty of care responsibilities for cadets, the complaints procedure for cadets, the cadet “freedom to speak out” and the Cadet Code of Conduct are contained in Chapter 2 of this publication and in ACP 20, PI 501 (Terms of Enrolment/Appointment and Conditions of Membership for ATC Cadets).

Anti-Bullying Policy

6. ***“Children have the right to protection from all forms of violence (physical or mental). They must be kept safe from harm and they must be given proper care by those looking after them”***¹ The RAFAC is committed to this ethos and seeks to ensure, as far as is reasonably practicable, the prevention of all forms of bullying among members. To this end the RAFAC has a zero-tolerance to bullying by any of its members (adults and cadets) and all AC RAFAC O activities should have in place rigorous anti-bullying strategies. To this end, the RAFAC will:

- Recognise its duty of care and responsibility to safeguard all members from harm.
- Promote and implement this anti-bullying policy in addition to our safeguarding policy and procedures.
- Seek to ensure that bullying behaviour is not accepted or condoned.
- Require all members of the RAFAC to be given information about, and sign up to, this policy.
- Take action to investigate and respond to any alleged incidents of bullying.
- Encourage and facilitate children and young people to play an active part in further developing and adopting a code of conduct to address bullying.
- Ensure that all members of the RAFAC are given access to information and guidance on the prevention of bullying.

7. Each member of staff and cadet will:

- Respect every child’s need for, and rights to, participate in RAFAC activities where safety, security, praise, recognition and opportunity for taking responsibility are available.
- Respect the feelings and views of others.
- Recognise that everyone is important and that our differences make each of us special which should be valued.
- Show appreciation to others by acknowledging individual qualities, contributions and progress.
- Be committed to the early identification of bullying, and take prompt individual and collective action to deal with it.
- Report incidents of bullying they see – by doing nothing you are condoning bullying.

8. Bullying.

¹ The United Nations Convention on the Rights of the Child, Article 19.

- All forms of bullying will be addressed.
- Everyone in the RAFAC has a responsibility to work together to stop bullying.
- Bullying can include online as well as offline behaviour
- Children with a disability, from ethnic minorities, young people who are gay, lesbian, bi-sexual or transgender or those with learning difficulties are more vulnerable to this form of abuse and are more likely to be targeted.

9. **Support to the child.**

- Children should know who will listen to them and provide support.
- Potential barriers to talking (including those associated with a child's disability or impairment) need to be identified and addressed at the outset to enable children to approach adults for help and children should have access to Helpline numbers.
- Anyone who reports an incident of bullying will be listened to carefully and be supported.
- Any reported incident of bullying will be investigated objectively and will involve listening carefully to all those involved.
- Children being bullied will be supported and assistance given to uphold their right to participate in RAFAC activities and live in a safe environment which allows their healthy development.
- Those who bully will be supported and encouraged to stop bullying.

10. **Support to parents/carers.**

- Parents/carers should be advised on the RAFAC's anti-bullying policy and practice.
- Any incident of bullying will be discussed with the child's parents/carers.
- Parents/carers will be consulted on action to be taken (for both victim and bully) and agreements made as to what action should be taken.
- Support should be offered to the parents/carers including information on other agencies or support lines.

Expected behaviour

11. The guidance contained in this publication is an attempt to identify what behaviour is expected of adults who volunteer to work with children and young people in the RAFAC. Adults whose practice deviates from this guidance and/or their professional code of conduct will bring into question their suitability to work or volunteer to work with children and young people. Consequently, all volunteer and permanent members of staff and adult cadets must understand what behaviour may call into question their suitability to continue to work with children and young people in any capacity, including that of their primary employment.

(original signed)

D A McCAFFERTY
Air Commodore
Commandant RAF Air Cadets

CHAPTER 1

THE RAF AIR CADETS (RAFAC) WELFARE AND SUPERVISORY CARE DIRECTIVE (SCD)

References

- A. ACP 1 – Ethos, Core Values and Standards in the RAFAC.
- B. ACP 4 – Safeguarding and Protecting Children.
- C. ACP 20, PI 104 – Equality and Diversity .
- D. ACP 20, PI 105 – Misuse of Drugs.

Introduction

1. The care and supervision of Servicemen and Servicewomen, including those aged under 18 yrs (U18s), has attracted a great deal of attention over recent years. Best practice supported drawing together, into a single document, the mandatory and advisory instructions pertaining to the supervision of and provision of care to U18s. This remains the purpose of this SCD. The key policy position on which the Directive is based is that the RAFAC does not act *in loco parentis* for cadets under the age of 18 and parental responsibility remains with cadets' parents, guardian or carers in accordance with Section 2 of the Children Act 1989 (England and Wales), Part 1 of the Children (Scotland) Act 1995 and Sections 5-7 of The Children (Northern Ireland) Order 1995. - but it **is** required to put in place care and supervisory structures and processes that are focused on the needs of U18s and indeed all Servicemen and women.

Definitions

2. Definitions, for the purpose of this publication, are as follows:
- a. **Abuse and Neglect.** Abuse and neglect are forms of maltreatment of a child. A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them, or more rarely, by a stranger, for example, via the internet. They may be abused by an adult or adults, or another child or children.
 - b. **Adult Cadet.** The term “adult cadet” is used to describe cadets who are aged 18 or over and who remain in service as staff cadets until their 20th birthday. Staff cadets have similar responsibilities to members of staff with reference to child protection.
 - c. **Children and Young People.** Throughout this document references are made to “children and young people”. These terms are interchangeable and refer to children who have not yet reached their 18th birthday in accordance with the UN Convention on the Rights of a Child (which was ratified by the UK on 16 Dec 91). The definition of a child in Scotland is a little more complicated but RAFAC policies should be followed for all cadets under 18. The RAFAC also fully recognises that a cadet aged 18 and over may remain in the RAFAC as a cadet up to their 20th birthday and, therefore, common sense must be applied in interpreting the rules and regulations, but it is implicit that the RAFAC has responsibility for their wellbeing and protection whilst they are still cadets.
 - d. **Child Protection.** The process of protecting individual children identified as either suffering, or likely to suffer, significant harm as a result of abuse or neglect by recognising abuse and neglect and acting upon concerns, suspicions or allegations². Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all adults who work with children should aim to proactively safeguard

² HM Government Working Together to Safeguard Children 2013.

and promote the welfare of children so that the need for action to protect children from harm is reduced. HQ RAFAC (SO3 Safeguarding), supported locally by Wg Ex Os, is to provide advice and support for safeguarding and promoting the welfare of cadets, including implementing safeguarding and child protection policy in accordance with this publication, with guidance from Local Safeguarding Children Boards and locally agreed inter-agency procedures.

e. **Duty of Care.** The responsibility which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children and young people in any capacity is considered to owe them a duty of care. A duty of care occurs in 2 ways:

(1) **Legal duty of care** has a strict definition. The most obvious example of this is in Health and Safety procedures where clear guidance is provided about what reasonable steps should be taken to minimise the hazards related to activities, substances or situations. Any person in charge of children and young people involved in RAFAC activities has a duty of care and should take all reasonable care for their safety. Those responsible for the management or supervision of children and young people in a national youth organisation should consider what steps they may need to take in order to demonstrate a *reasonable standard of care*. Examples of this could include:

- (a) Maintaining up to date attendance records
- (b) Maintaining up to date contact details
- (c) Maintaining appropriate supervision ratios
- (d) Maintaining up to date information on specific medical conditions – allergies, asthma, epilepsy, etc.
- (e) Ensuring that first aid provision is available at the venue.
- (f) Ensuring those responsible for supervising the children and young people have been subject to appropriate recruitment, selection and vetting processes

(2) **Moral duty of care** is more correctly a *responsibility* for safety and welfare. Members of staff have a responsibility for those children and young people, and other staff, who are under their control. The term is best expressed as requiring the adult to act as a “reasonable parent”. This is not necessarily the actual parent and what the child’s parent may permit, the RAFAC may not. Within the RAFAC, the duty of care would start by ensuring that an activity is authorised by the RAFAC and that relevant members of staff are qualified for the task but then would go on to ensure that it is managed in a safe manner throughout. Other steps that would be considered reasonable measures would include adherence to guidance, advice or directions provided by the RAFAC or other relevant body.

f. **Parent(s), guardian(s), carer(s).** These terms include any person who has a parental responsibility under Sections 2 and 3 of the Children Act 1989 (England and Wales), Sections 1-6 of the Children (Scotland) Act 1995 and Sections 5-7 of The Children (Northern Ireland) Order 1995.

g. **Safeguarding.** The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables

children to have optimum life chances and enter childhood together³. Describes the broader preventative and precautionary approach to planning and procedures that are necessary to be in place to protect children from any potential harm or damage. Child protection and safer recruitment are important aspects of safeguarding.

h. **Staff.** The term “staff” includes permanent members of RAFAC staff (eg civil servants), RAFVR(T) officers, WOs and SNCOs(ATC), civilian instructors (CIs), civilian gliding instructors (CGIs), honorary chaplains, civilian committee members, Regular or Reserve Service personnel permanently engaged on cadet duties and Regular or Reserve Service personnel appointed as volunteer Service Instructors, irrespective of where they are engaged within the RAFAC.

3. **ATC and CCF(RAF) equivalents.** Whilst ATC positions and formations are referred to in this publication for ease of reference, where relevant and appropriate, the policy also applies to the following CCF(RAF) equivalents:

- Squadron Commanding Officer = CCF(RAF) Section Commander
- Wing Executive Officer = CCF TEST Area Officer
- Regional HQ = Sqn Ldr CCF, HQ RAFAC
- HQ RAFAC = Wg Cdr CCF, except where other specific posts are referred to

Outline of Training delivered by the RAFAC

4. The table below gives an outline of the courses that are delivered, highlighting those elements that put particular pressure on cadets and staff.

Ser	Organisation	Course / Activity	Course/Activity Outline	Comments
1.1	RAF Air Cadet HQ	Bespoke Activities and Training	HQ for RAFAC oversees the training/activities that the numerous Air Cadet Sqns deliver.	Vulnerable cadets due to their age.
1.2	RAF Air Cadet HQ	Adult Training Facility (ATF) Course for Combined Force Adult Volunteers (CFAVs)	ATF deliver the following courses; Initial Officer (1-week), SNCO Initial Course (1-week), Sqn Cdr Course (1-week), Drill Instructors Course (1-week), Senior Staff Officer Course (1-week) and Child Protection Advisor Course (1-day). There are around 50 courses per year.	Less vulnerable and all courses are only 1 week, all trainees >20 years and are accommodated in the SNCO or Officers Mess. Duty Student appointed outside of hours.
1.3	RAFAC	Bespoke Activities and Training within Sqns	Various training/activities delivered by numerous RAF Air Cadets Sqns.	Vulnerable cadets due to their age.
1.4	RAFAC	Cadet Camps	Various locations for ‘camps’ that are short training activities for cadets, airfield facilities for leadership exercises. Staying in barrack block accommodation.	Vulnerable youths due to their age but short courses.

³ Working Together to Safeguard Children 2013 and National Guidance for Child Protection in Scotland 2014

1.5	RAFAC	Shooting	A wide range of shooting activities in a wide range of locations.	Vulnerable youths due to their age, but a robust training regime.
1.6	RAFAC	Field craft	A wide range of activities in a wide range of locations.	Vulnerable youths due to their age, but a robust training regime and qualified staff.
1.7	RAFAC	Adventurous Training	A wide range of activities in a wide range of locations.	Vulnerable youths due to their age, but a robust training regime and qualified staff.

RAFAC Welfare Support

5. The RAFAC has a structure spread over a wide geographical area and the Comdt has a duty of care to provide a welfare service to a diverse mixture of Service, civilians and cadets. The initial responsibility for welfare lies at all levels and is a chain of command matter. There is a supporting welfare network available to all personnel and the chain of command is responsible to the Comdt through Wing and Region staff as necessary for the service they provide. The welfare support consists of:

- a. **SSAFA.** SSAFA units at RAF units can be approached for assistance under the RAF contract, but staff should be aware that SSAFA will prioritise cases for staff whose issue is related to their role. In the case of an RAF Air Cadet casualty (adult staff or RAF Air Cadet), where the incident occurred whilst the adult staff member or cadet was on duty, HQ RAF Air Cadets will negotiate with SSAFA for support to be provided to adult staff and cadets as appropriate.
- b. **Chaplaincy.** Each Air Cadet Sqn should have a volunteer Padre established to support them, where a Padre has yet to be identified HQ RAF Air Cadets will arrange mitigation.
- c. **Other Community / Welfare Support.** Although adult staff and RAF Air Cadets are not routinely eligible to access and use RAF community and welfare services, HQ RAF Air Cadets will treat requests for support on a case by case basis.
- d. **Casualty.** In the case of an RAF Air Cadet casualty (adult staff or RAF Air Cadet), where the incident occurred whilst the adult staff member or cadet was on duty, (or in certain circumstance off duty (on a case by case basis)) the RAF will provide a Casualty Notification Officer (if Civilian Police are happy and have yet to undertake the duty) and, with the approval of the family, appoint a Visiting Officer. A Service Inquiry may be convened as appropriate and support to this and any Inquest will be given, as for regular Service personnel.

Duty of Care Responsibilities for all Personnel Aged Under 18

6. Reference B details Commanding Officers' obligations to ensure that protocols and procedures are in place to ensure line managers fulfil their duty of care responsibilities for U18s. A 'duty of care' is the obligation to exercise such a degree of care towards an individual, as is reasonable in all circumstances, to ensure their well-being and that of their property. Breach of the

duty of care will give rise to legal liability for loss or damage suffered in consequence. Duty of care also includes statutory duties as set out at Section 2 of the Health & Safety at Work Act 1974 which states that it is the duty of “every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work for all his employees. It is the primary responsibility of all adult members of the RAFAC to safeguard the moral, psychological and physical welfare of children regardless of gender, religion, race, ability, disability, sexuality and social background by protecting them from any form of physical, emotional and sexual abuse or neglect.

7. All children have the right to protection from all forms of abuse and harm when engaged in RAFAC activities and when in contact with members of the RAFAC. All adult members of staff have a duty of care, which makes them responsible both for safeguarding children in their care from abuse and harm and for responding swiftly and appropriately when suspicions or allegations of inappropriate behaviour arise; this applies to all cadets and not just cadets under their immediate control.

Maintenance of Service Discipline and Standards

8. As an organisation that is regularly in the public eye, it is paramount that **all** staff and cadets maintain discipline and the highest of standards. Personnel are to comply with all regulations and instructions pertaining to the maintenance of standards and discipline, In particular, all personnel should comply with the Ethos, Core Values and Standards of the RAFAC as at Reference A. All Commanders are to ensure such compliance and are to seek advice from HQ RAFAC and take subsequent appropriate action against any individual not so complying.

- a. **Equality and Diversity.** The Commandant’s Equality and Diversity Directive is at Reference C.
- b. **Alcohol.** In the absence of specific permission from Wg HQ, adult members of staff are not to take cadets to premises where the consumption of alcohol is taking place and staff are to follow the RAFAC’s ‘no alcohol’ policy when cadets are in their care.
- c. **Drug Abuse.** Drug abuse by personnel will lead to administrative or disciplinary action being taken against them, which is likely to result in the discharge of the individual. If any individual is concerned about drug abuse then they should inform their chain of command. Further information can be found at Reference D.
- d. **Tobacco and Smoking.** All personnel are to comply with the signs regarding areas where smoking is permitted and must not smoke in any other areas other than these designated places. For the purposes of this order e-cigarettes and similar devices are to be considered as a tobacco product. It is illegal to sell tobacco products to anyone under the age of 18.
- e. **Relationships between Staff and Cadets.** The policy on professional and social relationships between personnel is at Reference B.

Arrival and Departure Procedures

9. All new staff of the RAFAC are to undertake an arrival procedure. The induction must be completed immediately and individuals are required to read, understand and comply with all elements of the SCD. Individuals are to sign once completed.

Commander’s Risk Assessment (CRA)

10. The Commandant’s Risk Assessment, which is contained within the Total Safety Directive contains a comprehensive overall assessment of risks to personnel, particularly cadets, in the RAFAC, which underpins the SCD. The very diverse nature of the activities and the training that takes place, necessitates that in addition to an overall Risk Assessment, individual units undertake individual Commanders’ Risk Assessments to capture the specific needs and risks of their cadets

and staff. Commanders' Risk Assessments are to be reviewed every 12 months or earlier if required.

16. The CRAs and the SCD will be formally reviewed annually by SO2 Pers against extant policy. The SCD will be accessible via BADER and MOSS and updates promulgated in the appropriate manner.

Summary

10. The RAFAC supervisory care regime will help sustain Cadets and staff with appropriate levels of support whenever or wherever they may need it. Accordingly, all RAFAC staff are to ensure that the key principles outlined in this directive are understood and adhered to at all times. All Commanders are to ensure that staff who have regular contact with Cadets are familiar with this document.

(original signed)

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Specific links, resources and points of contact

(The MOD and RAFAC are not responsible for the content of external websites and their listing here does not confer official approval)

- Children's Act 2004 <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- JSP 763- MOD Bullying and Harassment complaints procedure
- JSP 814- Policy and Regulations for MOD Sponsored Cadet Forces
- JSP 834- MOD Safeguarding Children
- Beating eating disorders (beat) <http://www.b-eat.co.uk/Home>
- Brook Advisory Centre <http://www.brook.org.uk>
- Child Bereavement Charity <http://www.childbereavement.org.uk/>
- Children 1st (Scotland) <http://www.children1st.org.uk/>
- Children's Society Kids Zone http://www.childrensociety.org.uk/kids_zone/your_issues/Your_issues_5500.html
- Kid Shield <http://www.kidshield.co.uk/>
- NHS Live Well <http://www.nhs.uk/livewell/sexualhealth/Pages/Sexualhealthhome.aspx?WT.srch=1>
- NSPCC <http://www.nspcc.org.uk/>
- NSPCC ChildLine http://www.nspcc.org.uk/whatwedo/aboutChildLine/aboutChildLine_wda56344.html
- NSPCC ChildLine (Scotland)
http://www.nspcc.org.uk/whatwedo/aboutChildLine/ChildLineScotland/childline_scotland_wda57200.html
- NSPCC Helpline (for adults) http://www.nspcc.org.uk/helpandadvice/NSPCCHelpline/NSPCCHelplines_wda59025.html
- Papyrus (prevention of young suicide) <http://www.papyrus-uk.org>
- RD4U (part of CRUSE Bereavement Care's Youth Involvement Project) <http://www.rd4u.org.uk/>
- Samaritans http://www.samaritans.org/talk_to_someone.aspx
- Talktofrank <http://www.talktofrank.com/>
- There-4-Me <http://www.there4me.com>
- TheSite.org (Self-harm, etc)
<http://www.thesite.org/healthandwellbeing/mentalhealth/selfharm?qclid=CK2R7dzYn5kCFQFhQgodCjYipw>
- Thinkuknow (Internet Safety) http://www.thinkuknow.co.uk/11_16/
- Respectme (Scotland's anti-bullying service) <http://respectme.org.uk/about/>

CHAPTER 2

THE RAF AIR CADETS (RAFAC) POLICY STATEMENT ON CHILD PROTECTION

References:

- A. ACP 1 – Ethos, Core Values and Standards in the RAFAC.
- B. ACP 20, PI 501 – Terms of Enrolment/Appointment and Conditions of Membership for ATC Cadets, paragraph 19.
- C. ACP 20, PIs 209 and 309 – Administrative Reports on CFAVs.
- D. JSP 893 - MOD Policy on Safeguarding of Vulnerable Groups.

Introduction

1. The RAFAC recognises the importance of child protection enshrined in The Protection of Children Act 1999 (and its equivalent in Scotland and Northern Ireland) and endorses fully the provisions of the Children Act 1989 (England and Wales), the Children (Scotland) Act 1995 and The Children (Northern Ireland) Order 1995 which all state that “the welfare of the child is paramount”. For the purposes of this policy, a “child” is a person under the age of 18 in accordance with Article 1 of the UN Convention on the Rights of a Child.
2. The RAFAC does not act *in loco parentis* for cadets under the age of 18 and parental responsibility remains with cadets’ parents, guardian or carers in accordance with Section 2 of the Children Act 1989 (England and Wales), Sections 106 of the Children (Scotland) Act 1995 and Sections 5-7 of The Children (Northern Ireland) Order 1995. The only exception to this is in the event of a cadet requiring urgent medical treatment, including any emergency operation, when parents, guardians or carers are unable to physically give consent and they have delegated this responsibility in the relevant section of the ATC/CCF(RAF) Consent Certificate or on TG Form 21 (Cadet Activities Consent and Health Form). If the guardian of a cadet is designated as the local authority social services department, but the cadet has been in long term care of foster parents or become very close to their foster family then, for minor issues, Sqn COs should consider whether it is more appropriate to contact the foster parent in the first instance. Any serious issues will need to be discussed with social services and Sqn COs are to ensure that they are in possession of the details of a point of contact in social services for the cadet. The fact that a child has reached 16 years of age, is living independently, or is in further education, does not change his or her status or entitlement to services or protection under the Children Act 1989.

Child Protection Policy

3. It is the primary responsibility of all members of staff and adult cadets in the RAFAC to safeguard the moral, psychological and physical welfare of children regardless of gender, religion, race, ability, disability, sexuality and social background by protecting them from any form of physical, emotional and sexual abuse or neglect.
4. All children have the right to protection from all forms of abuse and harm when engaged in RAFAC activities and when in contact with other members of the RAFAC. All members of staff and adult cadets therefore have a duty of care, which makes them responsible both for safeguarding children in their care from abuse and harm and for responding swiftly and appropriately when suspicions or allegations of inappropriate behaviour arise; this applies to all cadets and not just cadets under their immediate control.
5. The RAFAC aims to ensure that all cadets are kept safe from harm while they are in its care by:

- a. Providing parents/guardians/carers with information about what we do and what they can expect from us.
 - b. Making sure that all members of staff and adult cadets are carefully selected and given training appropriate to their supervisory roles.
 - c. Providing a means for cadets and parents/guardians/carers to report their concerns if there is anything they are not happy about.
6. The RAFAC also aims to protect members of staff by:
- a. Establishing rules for an appropriate balance of male and female adult supervisors in relation to the gender of cadets.
 - b. Establishing the correct ratios of adults to cadets for best practice.
 - c. Ensuring, where possible, that a single adult is not alone with any cadet for any length of time or placed in situations where their conduct can be misconstrued.
 - d. Ensuring that only those members of staff and adult cadets who are properly cleared and appointed have regular, unsupervised, access to cadets.

Responsibility for cadets

7. Responsibility for cadets starts from the beginning of an authorised RAFAC activity and ceases at the end of an authorised RAFAC activity. However, responsibility remains with the RAFAC until cadets have departed RAFAC control and/or premises (which includes transporting them). All members of staff who work with, and on behalf of cadets, are accountable for the way in which they exercise authority, manage risk, use resources and safeguard children and young people. All adults have a duty to keep children and young people safe and protect them from sexual, physical and emotional harm. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take all reasonable steps to ensure the safety and well-being of children and young people.
8. This responsibility is, in part, exercised through the development of respectful and caring relationships between members of staff and cadets. It is also exercised through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement.
9. Everyone expects high standards of behaviour from adults who work with children and young people. When individuals accept such an appointment in the RAFAC, they need to understand and acknowledge the responsibilities and trust inherent in that role and be aware that sanctions will be applied if these provisions are breached.

Positions of trust

10. Although young people over 16 years of age can legally consent to some types of sexual activity, they may still be relatively emotionally immature. It is essential, therefore, that those who have a responsibility for them recognise this vulnerability and make sure it is not exploited. It is also important that those in a position of trust have a clear understanding of the responsibilities this carries to ensure they do not abuse their position or put themselves in a position where allegations of abuse, whether justified or unfounded, could be made. An individual in a position of trust may have the power to confer advancement or failure. The relationship may also be distorted by fear or favour. It is therefore vital for all those in such positions of trust to understand the power this gives them over those they care for and the responsibility they must exercise as a consequence.

11. A position of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. Such a definition on its own could be seen as spreading over a whole range of RAFAC activities, including day-to-day relationships between adults and cadets of any age. Care is always needed when such a relationship potentially exists, but such a wide interpretation goes beyond what is reasonably defined as a position of trust. Such relationships also need to be defined by reference to the other party in the relationship, especially where the other party is particularly vulnerable, whether through age or in other personal circumstances. A relationship between a member of staff and a cadet cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable children. All members of staff therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. All members of staff are, therefore, in a position of trust in relation to cadets.

12. Where a member of staff is in a position of trust with a child under 18, allowing a relationship to develop in a way that might lead to a sexual relationship is wrong. A sexual relationship itself will be intrinsically unequal whilst in a position of trust and is therefore unacceptable. It is also inappropriate since the 'professional' position of trust would be altered. For these reasons, personal relationships between members of staff and cadets of any age are not allowed. In particular, a personal relationship between a member of staff and a cadet over the age of 18 would be a contravention of Reference A.

Principle of equality

13. The principle of equality applies irrespective of sexual orientation, ie neither homosexual nor heterosexual relationships are acceptable in relation to a position of trust. They apply equally to all without regard to gender, race, religion or disability. In addition, it is important to recognise that females as well as males may abuse a position of trust.

Model principles

14. The following model principles are to be observed by all adult members of staff and adult cadets.

- a. The paramount need is to safeguard and promote the welfare of children and young people and protect them from abuse from those looking after them whilst in a position of trust.
- b. To protect the child and young person being looked after from an unequal and potentially damaging relationship.
- c. To protect the person in a position of trust by preventing him/her from entering into such a relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable.
- d. A position of trust will arise where one party, through their work or activity, whether a paid or unpaid volunteer or adult cadet, has responsibility for the care of a child or young person in a way which gives them power or influence over him/her.
- e. Any behaviour which might allow a sexual relationship between the person in a position of trust and the individual or individuals in their care should be avoided; any sexual relationship whilst in a position of trust is unacceptable.
- f. Great care must be taken to avoid any behaviour that could be construed as sexual by a reasonable observer. This is particularly important in areas such as training or

sporting activities which may involve non-sexual physical contact, such as celebratory embraces on the sports field.

Code of practice

15. A code of practice serves to protect children and young people from abuse of a position of trust; it serves to assist the RAFAC to deal properly with false, malicious or mistaken allegations of abuse of a position of trust and contains safeguards to protect those maliciously, falsely or mistakenly suspected or accused. It is constructed to protect children, young people and those in a position of trust and these procedures include:

- a. Ensuring there is a culture of openness within the RAFAC; that cadets know their right to say 'no' and to know that sexual relationships with adult members of staff are not allowed. It also means ensuring that they know what to do if they believe that they have been subjected to inappropriate behaviour, for example, consideration could be given to nominating a single person within the unit to whom the cadet can turn to discuss concerns or receive advice in confidence. Cadets also need to be aware of how they may complain if they consider themselves to have been wronged in anyway – see Reference B for guidance.
- b. If an abuse of a position of trust is reported or suspected, the procedures for reporting these concerns, and the action to be taken when a complaint is made are to be found in Chapter 4 (Responding to Allegations and Suspicions of Child Abuse). If a complaint is made it is vital that the particular relationship within a position of trust is suspended until the matter is resolved.
- c. To minimise the risk of situations arising where an abuse of a position of trust could occur or relationships which could lead to abuse of a position of trust could develop, or where false, malicious or mistaken accusations might be made, all members of staff and adult cadets are to adhere to the model principles and, in addition, be aware that:
 - (1) Any relationship which develops that could represent an abuse of a position of trust is to be terminated immediately.
 - (2) Any concern about another person becoming attached to an individual should be made known to higher authority.
 - (3) Where a colleague is becoming attracted to someone in his or her care they are counselled on the possible consequences by their commanding officer.
 - (4) Where an individual is concerned that their actions or words have been misunderstood, they are to resolve the possible misunderstanding immediately.
 - (5) The RAFAC views any abuse of a position of trust as extremely serious and action under Reference C could be taken resulting in dismissal from the RAFAC.

Making a Professional Judgement

16. This policy and guidance cannot provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interest of the child or young person which appear superficially to contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the cadets in their charge. Such judgements, in these circumstances, should always be recorded and shared with a superior officer. In undertaking these actions

individuals will be seen to be acting reasonably if they follow the spirit of these guidelines. Members of staff and adult cadets should always consider whether their actions are warranted, proportionate and safe and applied equitably.

Adult Duty to Speak Out (often described as “Whistle Blowing”)

17. Any form of child protection concern can be an exception to the normal RAFAC requirement on other issues to follow the routine chain of command. Every member of staff and adult cadet is required to report any suspicions or evidence of abuse or harm concerning a child whether it is within or outside the RAFAC and no-one should feel, or be made to feel, uncomfortable, bullied or intimidated by doing so or being coerced into not reporting them.

Cadet Freedom to Speak Out

18. Cadets should feel comfortable and free to report, at any time, any child protection concerns within or outside the RAFAC to any member of staff and all commanding officers are to endeavour to create a culture to ensure there is some means for cadets to do so. Cadets should know to whom they should report concerns and also what is likely to happen as a result – they must have confidence that they are being listened to. In addition to support within the sqn/unit, contact details for the NSPCC ChildLine (0800-1111) (<http://www.childline.org.uk/pages/default.aspx>) are to be prominently displayed in all RAFAC premises.

Responsibilities of the Wing Child Protection Adviser

19. **Introduction.** The Wing Child Protection Adviser (WCPA) reports to OC Wg and, in conjunction with the Wg Ex O, is a local focal point for safeguarding and child protection in the Wing. However, the Wg Ex O retains primacy for safeguarding and child protection matters within the Wing in accordance with the provisions of this publication and Reference D.

20. **Responsibilities.** The WCPA, in liaison with HQ RAFAC (SO3 Safeguarding), and in conjunction with the Wg Ex O, is responsible to OC Wg for:

- a. Ensuring that the incumbent WCPA's name and contact details (and deputy where appointed) are publicised widely within the Wing. The WCPA's responsibilities are to be handed over to a nominated deputy when the WCPA is absent from the Wing.
- b. Acting as a local point of contact/adviser on child protection matters within the Wing.
- c. Promoting an awareness of the contents of ACP 4 to all adult members of staff and cadets aged 18 and over within the Wing.
- d. On advice from SO3 Safeguarding, or via the Wg Ex O, providing information to Wing and squadron staff on child protection issues. Visiting Wing and squadron HQs, as necessary, to provide support on child protection matters.
- e. Immediately bringing to the attention of the chain of command and Wg Ex O any child protection incidents within the Wing which come to their attention and could have the potential to compromise the RAFAC's ability to safeguard the welfare and safety of children in the organisation or that may involve the police or social services or attract significant media interest.
- f. In conjunction with the Wg Ex O, providing advice and support to adult members of staff and cadets regarding complaints or incidents involving the protection of children in the RAFAC and responding to them.

- g. Promoting awareness of the contact details of Local Safeguarding Children Boards (LSCBs), Local Authority Designated Officers (LADOs), local authority social services (safeguarding teams/children's social care and Emergency Duty Teams) and police child/family/public protection units in the local (Wing) area and fostering a good working relationship with those agencies when required.
- h. Providing support and advice to any member of the Wing (including cadets) who is involved in a formal child protection referral (in accordance with the procedures published in Chapters 5 and 6), to the statutory authorities (police, social services or the National Society for the Protection of Cruelty to Children (NSPCC) tel: 0808-800 5000) about a child who is considered to be at immediate risk of harm, and immediately keeping the chain of command and Wg Ex O informed of developments on a need-to-know basis.
- i. If there is no conflict of interests, and when required by the OC Wg or Wg Ex O, attending local multi-agency child protection conferences and strategy meetings with safeguarding teams and the police (although the Wg Ex O would normally attend these meetings where possible) and making reports on the proceedings to the OC Wg/Wg Ex O and SO3 Safeguarding on a need-to-know basis. When required, inviting SO3 Safeguarding to attend these meetings as a representative of the National Headquarters.
- j. As advised by SO3 Safeguarding, keeping up to date on all relevant changes in government legislation and best practice with regard to safeguarding and child protection (up to date information may also be available via the NSPCC website - www.nspcc.org.uk).
- k. Providing support and advice to the Wing Training Officer on child protection elements of training for adult members of staff and cadets aged 18 and over.

21. **RAFAC Ethos and the Law.** Whilst meeting the above objectives, the WCPA is to have a clear understanding of the ethos of the RAFAC so as not to compromise its aims of fostering the spirit of adventure and developing qualities of leadership and good citizenship in cadets; however, it must always be remembered that ***the welfare of the child is paramount*** (the Children Act 1989, Children (Scotland) Act 1995 and The Children (Northern Ireland) Order 1995).

22. **Training.** Initially, WCPAs are to undertake a one day nationally recognised safeguarding/child protection awareness training course at the Adult Training Facility (ATF), RAF Cranwell; programme details are available via the ATF Bader website. Refresher training is to be undertaken every 3 years in accordance with arrangements made by HQ RAFAC ¹.

¹ The concept and method of delivery of safeguarding refresher training is under development.

